

**APPENDIX P -- PUBLIC PARTICIPATION IN ENFORCEMENT AND
COMPLIANCE**



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460**

May 5, 1987

**OFFICE OF
SOLID WASTE AND EMERGENCY RESPONSE**

MEMORANDUM

SUBJECT: Guidance for Public Involvement in RCRA
Section 3008(h) Actions

FROM: J. Winston Porter
Assistant Administrator

TO: ADDRESSEES

EPA is committed to providing meaningful opportunity to the public to be informed of and participate in decisions that affect them and their community. This memorandum provides guidance on public involvement actions taken under Section 3008(h) of the Resource Conservation and Recovery Act (RCRA).

It is highly likely that corrective action activities, which differ from normal operations at a facility, will generate public concern. The nature of the problem and the visibility of corrective action activities are two reasons for EPA to involve the public during the corrective action process. If the public is informed early, and allowed to be involved in the decision-making, it is less likely that there will be opposition to the decisions that are made. Also, valuable information can be obtained from concerned citizens who may know the site and facility's history.

Section 3008(h), the interim status corrective action authority, allows EPA to take enforcement action to require clean-up at a RCRA interim status facility when the Agency has information that there has been a release of hazardous waste or hazardous constituents. We anticipate that the cleanup program under Section 3008(h) will frequently be implemented with two orders. The first order would require the owner or operator to conduct a study to characterize the nature and extent of contamination, and to develop a remedy or alternative remedies as needed. Once a remedy has been selected, a second order would require design, construction, and implementation of that remedy.

MINIMUM PUBLIC INVOLVEMENT REQUIREMENTS

Although there will be many situations where much additional public involvement will be necessary, I would like to emphasize that there are minimum requirements for all 3008(h) orders, whether on consent or unilateral. Following the respondent's submission of its report on the RCRA Facility Investigation and Corrective Measures Study, the Agency will develop a proposed plan for corrective measures, or make the decision that no corrective measures are necessary. The Agency shall then (1) publish a notice and brief analysis of the proposed plan for corrective measures, or of its decision that no corrective measures are necessary, and make such information available to the public, and (2) provide a reasonable opportunity (ordinarily 30-45 days) for submission of written comments and, if the Regional Administrator deems it appropriate, a public meeting on the plan. If the Regional Administrator denies a request for a public meeting, he shall explain his decision in writing.

The Agency shall, as necessary, modify its proposed plan for corrective measures on the basis of written and oral comments received. Prior to issuance of the initial order for corrective measures the Agency shall prepare a responsiveness summary indicating whether and why it has accepted or rejected any significant comments. Following finalization of the order for corrective measures but before implementation of corrective measures, notice of the final plan for corrective measures shall be published and the plan shall be made available to the public.

Where, in the interest of protecting human health and the environment, it is important that interim corrective measures be implemented quickly, the public will have no advance opportunity for written or oral comments. Here, EPA will simply provide substantially contemporaneous notice to the public of interim measures being implemented.

EXPANDED PUBLIC INVOLVEMENT MAY BE NECESSARY

The degree of public involvement in a corrective action program will be determined by the amount of public interest in the site, the actual or potential hazard to human health or the environment and the type of clean-up action that will be undertaken. In general, if the Agency has identified releases and determined that they require investigation, the public should be informed that studies are underway. The Region may also want to hold additional public meetings if there is a lot of interest in the facility. The public should be made aware of significant

technical issues at the site. There will be occasions where affected citizens can make valuable contributions to remedy selection through participation in technical discussions with owners or operators and government representatives.

We strongly urge the use of a public involvement plan for sites in which there is likely to be significant public interest. At appropriate points during the process, fact sheets can be developed that should both inform the public and allay fears that could surface if no substantive knowledge were made available. A public involvement plan tailored to each site can also be very helpful. You may refer to Community Relations in Superfund: A Handbook March 1986, and Public Involvement Guidance in the Permitting Program, March 1986, Directive 9500.01, for further information on public involvement techniques and process. The regional RCRA public involvement coordinator can also offer valuable information and assistance.

There are limitations on the release or discussion of certain information during the §3008(h) enforcement process. This is especially true during negotiations. The confidentiality of statements made during the course of negotiations must be maintained. Our goal during negotiations is to encourage frank discussion of all issues, and try to resolve differences. Public disclosure of this information would jeopardize the success of the negotiations. Disclosures of strengths and weaknesses of a case, information that is privileged and protected under the law, enforcement strategy and timing would also jeopardize the government's enforcement position. If a case is referred to the Department of Justice to initiate litigation, further constraints may be placed upon public involvement. In this situation, the scope of public involvement should be discussed with the lead DOJ attorney.

Coordination among EPA and/or State personnel is very important. At some sites, RCRA Permits and Enforcement Personnel and Superfund will be involved, and a coordinated approach will serve the Agency and the public best. In order to establish a network whereby information can be exchanged, I would like each region to appoint a coordinator for public involvement in §3008(h) orders. This person may be from either your public involvement or enforcement staffs. Please call Jackie Tenusak of my staff at FTS 475-8729 with the name of your contact.

Thank you for your attention to this matter. Please do not hesitate to call me, or any of our public involvement staff, if you have questions.

ADDRESSEES

Regional Hazardous Waste Management Division Directors,
Regions I-X

RCRA Enforcement Section Chiefs
Regions I-X

RCRA Enforcement Branch Chiefs
Regions I-X

Public Involvement/Community Relations Coordinators
Regions I-X

cc: Pamela Garrow, OWPE
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United States
Environmental Protection
Agency

Office of
Enforcement
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The Public's Role In Environmental Enforcement



1. Introduction

What can the public do to stop pollution? This question is asked EPA every day by citizens who have seen a pollution problem in their community and want to solve it.

This leaflet presents the first basic steps any member of the public can take to help correct a pollution problem. It describes approaches that can help the reader deal with the type of violations most often encountered by the public. Unfortunately, space does not permit coverage of every possible rare case situation.

Section 2 tells you how to determine whether enforcement techniques can help in dealing with your particular pollution problem, and how to make observations that can be used effectively. It describes the basic steps you can use in any pollution case.

Sections 3 through 6 address the violations most often encountered by the public in the major categories of water pollution, air pollution, hazardous waste pollution, and toxic substances pollution. It describes some specialized steps that may be useful for each of those environmental media.

2. The First Steps

The two most important things to do when you see a potential pollution problem are: (1) make careful observations of the problem and (2) report it to the proper authorities.

You should fully record your observations. Write down when you observed the problem (both date and time), where you observed the pollution, and how you came to notice the pollution. If the pollution problem has occurred more than once or is continuing, write that down. If possible, try to identify the person or source responsible. If it is a truck dumping wastewater or garbage, write down the license plate of the truck, the type of truck if possible, and note any signs or emblems on the truck. If you have noticed a particular type of smell, write down your best description of the smell or odor. If the pollution is visible and you have a camera, take a picture. If possible, you may want a friend, neighbor, or family member to confirm your observations.

Once you have carefully observed the problem and written down your observations, you should call the appropriate local or state authorities to inform them of your observations. Look in your local telephone book in the government pages for the county or city office that might handle the problem. Typically, such offices will be listed as environmental, public health, public works, water pollution, air pollution, or hazardous waste agencies. If you cannot find a county or city office, look for a state government environmental office. It may require a few calls to find the correct offices, but hang in there!

Once you reach the appropriate office, give the official all the

information on what you observed and ask him or her to look into the problem. You should ask the official whether the problem you have identified is likely to be illegal, how common it is, and how and when the office will investigate. Make sure you get the person's name and telephone number. If the person does not call back or respond promptly, call the person back and ask what is going on.

If the city or county environmental agency does not respond adequately to your telephone call, you may call back and ask to speak to the official supervisor or boss. If the supervisor is not available, get his or her name and address. You may then write this person a letter describing the problem you have observed and explaining your dissatisfaction with the office's response to it. Or you could contact the appropriate state environmental office directly, by telephone or letter. If you cannot get an adequate response from local or state environmental offices, or you cannot find a local or state office to call, you may call the U.S. EPA regional office that covers your area. A listing of all the U.S. EPA regional offices, with telephone numbers, is in the last section of this booklet.

If the pollution problem persists and the local, state, and regional U.S. EPA offices appear unwilling or unable to help, you may contact U.S. EPA headquarters in Washington, DC. If you do not believe the government agencies have adequately responded to the pollution problem, and you believe the pollution is illegal and the problem appears to be continuing, you may have certain individual rights under the citizen suit provisions of the various federal environmental laws that you can assert to remedy the

pollution problem yourself. You may wish to contact your own attorney or a public interest environmental group. A listing of national and state environmental groups is contained in the *Conservation Directory*, published annually by the National Wildlife Federation, Washington, D.C., and available in many public libraries. If you win such a lawsuit, the polluter will likely be required to correct the problem causing the pollution, pay penalties to the United States for violating the law, and pay your attorney's fees.

Finally, if you are told that the pollution problem you have observed is legal, but you believe it should not be legal, you are free to suggest changes in the law by writing to your U.S. Senator or Representative in Washington, D.C. or to your state governor or state legislators to inform them of the problem. Local libraries should have the names and addresses of these elected officials.

3. How to Identify And Respond to A Water Pollution Problem

Periodically, people may become concerned that pollution of a river, stream, lake, or ocean is occurring. This concern may be caused by the sight of an oil sheen on the surface of a river, stream, or lake. It might be caused by their observing a discoloration of the water in a stream or a pipe discharging apparently noxious liquids into a water body. Concern might also arise because an unusual odor is emanating from a body of water, or a bulldozer is seen filling in a marsh or wetland.

While some water pollution is an unfortunate consequence of modern industrial life, there are national, state and local laws that limited the amount and kinds of water pollution allowed, and in some cases these laws completely prohibit certain types of water pollution. Sometimes it will be easy for a citizen to identify water pollution that is a violation of the law, and sometimes it will be difficult to identify the water pollution problem without sophisticated equipment.

Here are a few general types of water pollution problems a citizen might observe:

Rivers and Lakes - A citizen might observe wastewater flowing out of a pipe directly into a stream, river, lake, or even an ocean. Persons are only allowed to discharge wastewater into a water body if they have received a National Pollutant Discharge Elimination System ("NPDES") permit and they are complying with the requirements of that permit. NPDES permits limit the amount of pollutants which persons are allowed to discharge.

Unfortunately, it is often difficult to tell with the naked eye if a person is complying with the terms of a NPDES permit. However, some reliable indicators of violations are a discharge that level visible oil or grease on the water, a discharge that has a distinct color or odor, or one that contains a lot of foam and solids. Further, if there are dead fish in the vicinity of the discharge, this is a strong indicator of a water pollution violation.

Citizens should be aware that all persons who discharge wastewater to U.S. waters must report their discharges. These monthly reports (commonly called Discharge Monitoring Reports, or "DMRs") indicate the amount of pollutants being discharged and whether the discharger has complied with its permit during the course of the month. These reports (DMRs) are available to the public through state environmental offices or EPA regional offices.

Wetlands or Marshes - Under the Federal Clean Water Act, persons are only allowed to fill wetlands (commonly known as marshes or swamps) pursuant to the terms of a special discharge permit, commonly called a Section 404 permit. "Filling a wetland" generally means that a person is placing fill or dredge material (like dirt or concrete) into the wetland in order to dry it out so that something can be built on the wetland. The Section 404 wetlands program is jointly administered by the U.S. Army Corps of Engineers and EPA. In general, the United States is committed to preserving its wetlands (sometimes called the "no-net loss" program) because of the valuable role wetlands play in our environment. In brief, wetlands provide a habitat for many forms of fish, wildlife, and

migratory birds; they help control flooding and erosion; and they filter out harmful chemicals that might otherwise enter nearby water bodies.

In general, there is usually no way to know if a wetland is being filled legally or illegally without knowing whether the person has a Section 404 permit and knowing the terms of that permit. However, if you notice fill activity going on in a suspicious manner, e.g., late at night, this may suggest that the wetland is being filled illegally. If you see a wetland being filled and are curious whether there is a permit authorizing such filling, you may call the local Army Corps of Engineers' office or the EPA regional offices in your state. If possible, you should tell the Army Corps or EPA the location of the wetland being filled, what kind of filling activity you noticed, and who is doing the filling.

Drinking Water - The Nation's drinking water is protected through the Federal Safety Drinking Water Act. Under this law, suppliers of drinking water are required to ensure that their water complies with federal standards (known as maximum contaminant levels, or "MCLs" for various pollutants and chemicals, such as coliform bacteria. If drinking water suppliers exceed a federal standard, they are required to immediately notify their users and implement measures to correct the problem. While you may not be able to tell if your drinking water is meeting all federal standards without testing equipment, if you notice any unusual smell, taste, or color in your water, you should immediately notify the person who supplies your water and the appropriate state agency.

In many of the circumstances

when citizens become aware of a water pollution problem, there are actions that they can take to begin the process of correcting the problem and forcing the violator to comply with the law. The first step is always to make careful observations of the pollution event that you are observing. It is best to make a written record of the time and place of the sighting. As many details as possible should be recorded concerning the nature of the pollution, for instance its color, smell, location, and its "oiliness". It is extremely important, if possible, that the source of the pollution be identified, including the name and address of the perpetrator. If the pollution is visible and you have a camera, you may take a picture. If possible, you may want a friend, neighbor, or family member to confirm your observations.

Once you have carefully observed the problem and written down your observations, you should call the appropriate local or state authorities to inform them of your observations. Look in your local telephone book in the government pages for the county or city office that might handle the problem. Typically, such offices will be listed as environmental, public health, public works, or water pollution agencies. If you cannot find a county or city office, look for a state government environmental office.

As the next step, a determination must be made as to the legality of the discharge. If the discharge is, in fact, illegal, the perpetrator must be confronted, the discharging of pollutants or the filling of the wetland must be halted, and, if feasible, the environmental damage caused by the perpetrator's actions must be

corrected. Confrontation of the polluter is most practically achieved by contacting the local, state, or federal environmental protection agency. In general, the state environmental agency is responsible for making a preliminary assessment of the legality of the pollution event observed, for investigating the event, and, if necessary, for initiating an enforcement action to bring the polluter into compliance with the law. The citizen may also contact the U.S. EPA regional office that covers your state for assistance. A listing of all the U.S. EPA regional offices, with telephone numbers, is listed at the end of this booklet.

If the pollution problem persists and the local, state, and regional U.S. EPA offices appear unwilling or unable to help, you may contact U.S. EPA headquarters in Washington, D.C.

Lastly, if you do not believe the federal, state, or local governments have adequately responded to the pollution problem, and you believe the pollution is illegal and appears to be continuing, you may have certain individual rights under the citizen suit provisions of the various federal environmental laws that you can assert to remedy the pollution problem yourself. The Federal Clean Water Act provides that a citizen adversely affected by water pollution may bring a lawsuit on behalf of the United States to correct the problem. If you want to do this, you will probably need a lawyer to make an assessment of the illegality of the pollution event and your chances of succeeding in a lawsuit. There are a number of public interest organizations who can be contacted that are in the business of bringing this kind of lawsuit. (A listing of national and state

environmental groups is contained in the *Conservation Directory*, 1987, 32nd Edition, published by the National Wildlife Federation, Washington, DC) If you win such a lawsuit, the polluter will likely be required to correct the problem causing the pollution, pay penalties to the United States for violating the law, and pay your attorney's fees.

Finally, if you have obtained "insider" information that water pollution is occurring, the Clean Water Act protects you from recrimination if the polluter is your employer. Your employer may not fire you or otherwise discriminate against you based on your "blowing the whistle".

To repeat, there are two ways to proceed if you suspect that water pollution is occurring: either contact your state EPA or the U.S. EPA to disclose your information and/or initiate your own citizen's lawsuit.

4. Air Pollution

Smoke or Odor - There are several air pollution situations a citizen might observe. You might observe visible emissions of air pollutants, such as black clouds of smoke, coming from a source such as a factory or power plant. You might also notice a discharge of air pollution because you can smell a strong odor. In either of these situations, these discharges may or may not be a violation of the Clean Air Act.

The Clean Air Act does allow some pollution discharges. The goal of the Clean Air Act is to keep the overall concentration of the major air pollutants at a level that will protect the public health. States then decide how they are going to meet these air pollution goals. A state may decide not to regulate a particular category of air pollution sources at all and to concentrate its efforts elsewhere in meeting its goals. Regulated sources may have permits from the state allowing them to discharge a certain level of pollution.

The best course of action for a citizen to take in these two situations is first to try to determine the exact source of the pollution. If it is a visible discharge, take a photograph. Also, note the exact time, day and location you observe the pollution.

Then notify your local or state air pollution or environmental agency of your observations. They should be able to determine if the source you observed is regulated, and if so, whether the discharge of pollution you observed is legal. EPA usually defers to the state for enforcement. Only in limited, appropriate circumstances does EPA intervene to take enforcement action. However, if

you have difficulty in getting a response from your state or local agency, contact the nearest regional office of EPA and report your observations.

Asbestos - Another situation a citizen might encounter involves construction work. Many old buildings contain the hazardous material, asbestos. Asbestos is extremely harmful to human health inhaled or ingested. When buildings containing asbestos are renovated or demolished, the asbestos is broken up and can become airborne and, therefore, a health hazard.

EPA regulations require all parties associated with renovations and demolitions involving asbestos to notify EPA of the work and follow certain work practice requirements aimed at eliminating or at least minimizing the amount of airborne asbestos. These requirements largely consist of wetting the asbestos at all stages of the process so that it does not become airborne. The regulations also require the asbestos to be stored and disposed of in a particular manner.

There are several ways a citizen might help identify a violation of the asbestos regulations. If you pass a construction site, you may notice large amounts of white dust coming from the site or scattered around the site. These could be violations if the debris in question contains asbestos. One way a citizen could verify that asbestos is involved is looking for a brand-name label stamped on insulation that is still intact.

Otherwise, trained inspectors will have to take samples and laboratory analysis of the debris must be done to verify that it contains asbestos.

The most effective action to take is to notify the nearest EPA regional office about the site.

EPA personnel can then check their records to see if they have received notice of the demolition or renovation, and can do an inspection if it seems likely that asbestos is involved.

Auto Warranties - The Clean Air Act requires that motor vehicles sold in the United States meet prescribed emissions standards. In order to ensure that vehicle emissions remain low for the useful life of the vehicle, manufacturers are required to provide broad emission warranty coverage for vehicles that are less than five years old and have been operated for less than 50,000 miles. This warranty applies to defects in any part whose primary purpose is to control emissions, such as the catalytic converter, and in any part that has an effect on emissions, such as the carburetor (except parts that have annual replacement intervals, such as spark plugs). Manufacturers must make emissions warranty repairs free of charge for any labor or parts. If you believe you are entitled to an emissions warranty repair, contact the person identified by the manufacturer in your owner's manual or warranty booklet.

If you are not satisfied with the manufacturer's response to your emissions warranty claim, you may contact EPA for assistance by writing: Field Operations and Support Division (EN-397F), U.S. Environmental Protection Agency, Washington, DC 20480.

Removing Emission Control Devices - The Clean Air Act also seeks to prevent automotive pollution by prohibiting the removal or rendering inoperative of emission-control devices by new and used car dealers, repair shops and fleet operators. In addition, gasoline retailers are prohibited from introducing leaded gasoline into motor

vehicles which require unleaded gasoline, and gasoline that is sold as unleaded must not contain excess lead or alcohol. If you know of a violation of the anti-tampering or motor vehicle fuel rules, please contact EPA by writing to the address listed above.

The Clean Air Act also has a provision allowing citizens to sue any person alleged to be in violation of an emission standard under the Clean Air Act (42 U.S.C. section 7604).

5. Hazardous Waste

Abandoned Sites, Barrels, etc.

When citizens see leaking barrels (or barrels that look like they might leak), pits or lagoons on abandoned property, they should avoid contact with the materials, but note as thoroughly as possible their number, size, and condition (e.g., corroded, open, cracked) and the material leaking (e.g., color, texture, odor) and report these to the local fire department or the hazardous waste hotline (800-424-8802 or 202-367-2675).

If possible, take a photograph of the area, but do not get too close to the materials. If the substances are hazardous, the statute most likely involved is the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA or the Superfund Law), and EPA or the state should take the lead. Under CERCLA, citizens have the opportunity to, and are encouraged to, involve themselves in the community relations program which includes citizen participation in the selection of a remedial action.

A citizen may file suit against any person, including the United States, who is alleged to be in violation of any standard, regulation, condition, requirement or order that has become effective under CERCLA, provided that the citizen gives the violator, EPA, and the state sixty days 'notice of the intent' to sue. A citizen suit cannot be brought, however, if the United States is diligently prosecuting an action under CERCLA.

Hazardous Waste Facilities

When citizens encounter leaks, discharges or other suspect

emissions from a hazardous waste treatment, storage or disposal (TSD) facility, they should contact their state hazardous waste office or the local EPA Regional office to determine if the facility has a Resource Conservation and Recovery Act (RCRA) permit or has been granted interim status to operate while it applies for a RCRA permit. Any citizen may obtain copies of a TSD facility's permit and monitoring reports, which would document any violations, from the state agency or EPA Regional office.

A citizen may bring a civil judicial enforcement action against a RCRA violator provided he gives the violator, EPA, and the state sixty days notice of the intent to sue, during which time the state or EPA may pursue an enforcement action. With certain limitations, a citizen may also bring an action against any person who has contributed to or who is contributing to the past or present handling of any solid waste, including hazardous waste, that may present an imminent and substantial endangerment to human health or to the environment.

Transportation Spills

If you see a spill from a truck, train, barge or other vehicle, you should report it immediately to the local fire and police. If it is possible to read any labels on the vehicle, without getting too close, then you should report this information as well.

If you see a spill from a barge, ship, or other vessel into navigable waters or the ocean, such as an oil spill from a tanker, you should report the spill and location to the United States Guard, or call the hazardous waste hotline (1-800-424-8802) or (202) 267-2675).

Citizens who provide information leading to the arrest and conviction of persons who commit certain criminal violations under CERCLA may be eligible for a reward of up to \$10,000. These awards are often offered in connection with a violator's failure to make a required report on a release of a hazardous substance or the destruction or concealment of required records.

6. Pesticides and Toxic Substances

When citizens encounter instances of pollution involving pesticides or toxic substances, the law that was actually violated will most often be the Clean Water Act, the Clean Air Act, or the Resource Conservation and Recovery Act. Most violations of the Toxic Substance Control Act or the Federal Insecticide, Fungicide and Rodenticide Act will be discovered only by persons with special training or with access to information that is not generally available to the public.

TSCA

Violations of the Toxic Substances Control Act (TSCA) that the public might observe include:

- Demolition of a building containing asbestos without proper measures to keep the asbestos contained.
- Improper storage or disposal of transformers containing PCBs (polychlorinated biphenyls).
- Improper storage of asbestos.

If you think you are seeing such a violation, you should contact: Office of Compliance Monitoring (EN-342), U.S. Environmental Protection Agency, Washington, D.C. 20460, or call the National Response Center for Oil and Hazardous Material Spills at (800-424-8802).

Citizens suits are authorized under TSCA (15 U.S.C. section 2619). Citizens may sue violators of provisions concerning PCBs, asbestos, required testing of chemical substances, notification to EPA

before manufacturing or importing new chemicals, or beginning a significant new use of chemicals.

FIFRA

Citizens may encounter violations of the provisions of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) that govern the use of pesticides. FIFRA requires that pesticides be used by the public only as specified on the label. Many pesticides are labeled for use only by specially licensed applicators. Others have been banned from almost all uses, except for particular uses where no other pesticide [remainder of text missing].

Violations of FIFRA that citizens may observe include:

- Sale or use of banned pesticides that are not registered with EPA. These would lack the EPA registration number that must appear on every pesticide label.
- Use of pesticides in a manner inconsistent with the directions on the label.
- Application of restricted-use pesticides by unlicensed applicators.
- False or misleading labeling or advertisement of pesticides.

If you think you are seeing such a violation, you should contact: Office of Compliance Monitoring (EN-342), U.S. Environmental Protection Agency, Washington, DC 20460, or call the National Response Center for Oil and Hazardous Material Spills at (800) 424-8802.

There is no citizen suit authority under FIFRA.

EPCRA

The Emergency Planning and Community Right-to-Know Law (EPCRA) requires a wide range of businesses that manufacture, import, process, use or store chemicals to report certain information to federal, state and local governments. For example, these businesses are required to report annual estimates of the amounts and types of toxic chemicals they released or disposed of during each calendar year. The data must be reported to EPA and to state agencies, and they are available to the public through an EPA compilation called the Toxics Release Inventory. The data in this inventory may be used by the public to examine the practices of particular manufacturers.

If you believe that a business that was subject to the EPCRA requirement failed to report to the Toxics Release Inventory, you should contact: Office of Compliance Monitoring (EN-342), U.S. Environmental Protection Agency, Washington, DC 20460. A business' failure to report toxic releases may also be challenged through a citizen suit under 42 U.S.C. section 11046(a)(1).

7. For Further Information

State and local governments have responsibility for enforcing most environmental laws in the area where you live. You can locate them through your telephone directory. In most communities, the responsible agency is the city or county health department. At the state level, there is usually an environmental agency that carries out the pollution-control laws, while an agriculture agency often handles regulation of pesticides.

EPA operates primarily through ten regional offices, which will help answer your questions if your state or local agencies have been unable to do so. Each region has a staff specializing in each of the environmental programs discussed in this publication. To locate a person who can help you, call the public affairs office in your EPA regional office.

These offices and the states they cover are:

Region 1:	Boston (617) 835-3424	CT, MA, ME NH, RI, VT
Region 2:	New York City (212) 264-2515	NY, NJ, PR, VI
Region 3:	Philadelphia (215) 597-9370	DE , DC, MD, PA, VA
Region 4:	Atlanta (404) 257-3004	AL, FL, GA, KY, MS, NC, SC, TN
Region 5:	Chicago (312) 353-2073	IL, IN, MI, MN, OH, WI
Region 6:	Dallas (214) 255-2200	AR, LA, NM, OK, TX
Region 7:	Kansas City (913) 757-2803	IS, KS, MO, NE
Region 8:	Denver (303) 564-7666	CO, MT, AND, SD, UT, WY
Region 9:	San Francisco (415) 484-1050	CA, HI, NV, Guam, American Samoa
Region 10:	Seattle (206) 399-1466	AK, ID, OR, WA